

REMARKS

This Response, filed in reply to the Office Action dated January 7, 2008, is believed to be fully responsive to each point of objection and rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1, 7, 14, 15, 18 and 19 are amended herewith to remove nonelected subject matter. Claims 9-11, 13, 20 and 21 are canceled herewith without prejudice or disclaimer. Claim 12 is amended herewith to correct antecedent basis. New Claim 22 is added which incorporates cancelled subject matter of Claim 14. No new matter is added by way of this amendment. Upon entry of this amendment, Claims 1-4, 7, 8, 12, 14-19 and 22 will be all the claims pending in the application. Entry and consideration of this amendment are respectfully requested.

Applicants thank the Examiner for taking time to answer Applicants' inquiries regarding the Office Action during the telephonic conversation.

Claim to Priority

Applicants thank the Examiner for acknowledging Applicants' claim to priority and receipt of all of the priority documents.

Withdrawn Rejections/Objections

Applicants thank the Examiner for withdrawal of the rejection of Claims 1, 2, 7-12 and 14-17 under 35 U.S.C. §112, first paragraph, and for withdrawal of the rejection of Claims 12 and 15 under 35 U.S.C. §112, second paragraph.

Applicants also thank the Examiner for withdrawal of the objection to Claim 10.

Claims 15-19 are Definite Under 35 U.S.C. §112

On page 3 of the Office Action, Claims 15 through 19 are rejected under 35 U.S.C. §112, second paragraph, as allegedly lacking antecedent basis in referring to withdrawn Claim 13.

Initially, Applicants note that Claims 18 and 19 are currently withdrawn. Nevertheless, solely to advance prosecution, and without acquiescing in the rejection, Applicants herewith cancel Claim 13 and correct the dependencies of Claims 15, 18 and 19 accordingly. Applicants respectfully submit that the amendments overcome the rejection.

Withdrawal of the rejection is respectfully requested.

Objections to the Claims

On page 3 of the Office Action, Claims 1, 2, 7-9, 11, 12, and 14 are objected to on the ground that the claims contain subject matter not encompassed by elected Group IV. It is asserted that although the elected species of Group IV has not been found to be anticipated, Applicants are not entitled to any subject matter outside the elected Group IV.

In the interest of compact prosecution, Applicants herewith amend the claims to remove nonelected subject matter. Applicants respectfully submit that the amendments overcome the objection.

On page 4 of the Office Action, Claims 9, 10 and 11 are objected to under 37 C.F.R. § 1.75 as being substantial duplicates of Claim 7.

Applicants note that Claims 9-11 are canceled herewith, mooted the objection.

Withdrawal of the outstanding objections is therefore respectfully requested.

Rejoinder of Process Claims

Applicants respectfully request that should the claims currently under examination be found allowable, Claims 3, 4, 18 and 19 should be rejoined. Claims 3, 4, 18 and 19 recite methods of using the claimed compounds, the methods containing all limitations of the allowed compound claims, and therefore should be rejoined as a matter of right should the product claims be found allowable.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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